

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/438,957 Confirmation No.: 1078
Applicant(s): Terrell B. Jones
Filed: November 12, 1999
Art Unit: 3627
Examiner: A. Rudy
Title: DEMAND AGGREGATION AND DISTRIBUTION SYSTEM

Docket No.: 023895/257368
Customer No.: 00826

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBSTITUTE APPEAL BRIEF UNDER 37 CFR § 41.37

This Substitute Appeal Brief is filed pursuant to the Notification of Non-Compliant Appeal Brief mailed July 28, 2006, to correct the deficiencies of the Appeal Brief filed on April 12, 2006. Modifications to this Substitute Appeal Brief are limited to an amended Summary of Claimed Subject Matter.

1. ***Real Party in Interest.***

The real party in interest in this appeal is Sabre Inc., the assignee of the above-referenced patent application.

2. ***Related Appeals and Interferences.***

There are no related appeals and/or interferences involving this application or its subject matter.

3. ***Status of Claims.***

The present appeal involves Claims 1-9 and 23-34, which are presently under a final rejection as set forth by the Official Action mailed November 17, 2005. The claims at issue are set forth in the attached Claims Appendix.

4. ***Status of Amendments.***

No amendments have been filed subsequent to the final Official Action of November 17, 2006.

5. ***Summary of Claimed Subject Matter.***

Embodiments of the present invention provide methods, systems, and computer-readable mediums for aggregating and satisfying demand from different users for one or more items. Generally, embodiments of the present invention aggregate a consumer's interest in an item, such as a travel itinerary, whereby one or more package responses may be provided that satisfy the consumer's demand (e.g., flight and hotel at a desired destination). Moreover, embodiments of the present invention may be used to complete a transaction involving a package offered to consumers by accepting a commitment to purchase from the consumers.

Independent Claims 1, 2, 4, 5, 7, 8, 29-31, and 32-34 of the present application recite aggregating information reflecting demand for an item based on input requests from different users for the item, wherein each request is received from a different user and includes user identification information (p. 5, lines 1-4 and 11-15). In this regard, demand may include a user's interest in a particular item, such as preferred travel itineraries, including the location of departure and destination, travel dates, and period of stay at the destination (p. 7, lines 15-17). With reference to FIG. 4 of the present application, a demand aggregation and distribution server 400 is connected to a network interface for facilitating aggregation of users' demand for items or travel products (p. 13, lines 14-17). Among other components, the server 400 includes a consumer datastore 425 for aggregating information reflecting consumers' demand for a particular item and information identifying each consumer (p. 14, lines 8-11).

Each of independent Claims 1, 2, 4, 5, 7, and 8 includes aggregating requests for an item from users independent of a commitment by the users to purchase the item. As described above, the demand provided by users reflects interest for an item. A commitment to purchase is not required until after the proposed responses are provided to the users from the suppliers. In this regard, if consumers are interested in purchasing a particular product provided by the server 400, response packaging processor 420 may receive a purchasing commitment from one or more

consumers (p. 17, line 19 – p. 18, line 2). The commitment may take the form of an unsecured reservation or purchase using, for example, a credit card (p. 18, lines 2-3).

Independent Claims 1, 4, 7, and 32-34 also recite providing aggregated information to a plurality of suppliers (wherein each supplier is capable of supplying the item) without also providing the user's identification information from the request, and receiving one or more responses from the suppliers including a proposal for providing the item to the different users (p. 5, lines 5-10). As such, suppliers are capable of using the demand information to provide package responses to the consumers (FIG. 6; p. 8, lines 3-5; p. 16, lines 10-11). One method shown in FIG. 6 illustrates that suppliers are identified in order to locate suppliers capable of providing a package response (block 650). Thus, the supplier datastore 430 may contain information identifying suppliers to locate available suppliers so that suppliers may be provided with the demand information and provide package responses (blocks 655 and 660) (p. 16, line 19 – p. 17, line 3). As such, suppliers are capable of using the demand information to provide package responses to the consumers (p. 16, lines 10-11). For example, an airline may be identified as a potential supplier in response to consumer demand, and the airline may respond with information reflecting an offer to carry 50 or more consumers from New York to Miami on December 23, 1999 at a particular airfare (p. 18, lines 17-19). In addition, a hotel may have been identified and responded with an offer to house 50 or more consumers from December 23, 1999 to January 3, 2000 at a particular rate (p. 18, line 19 – p. 19, line 2). Moreover, the aggregated information is provided to the suppliers without information identifying the user until after the user has committed to purchase a particular package, which protects the user's anonymity until after a purchase commitment is made (p. 18, lines 7-10).

Similarly, independent Claims 29-31 recite providing aggregated information to a plurality of suppliers without also providing user identification information and receiving two or more responses from suppliers, where each response includes a proposal for providing the item to the different users. As indicated above, suppliers are capable of using the demand information to provide package responses to the consumers (FIG. 6; p. 8, lines 3-5; p. 16, lines 10-11). Suppliers may provide one or more components of a package and provide one or more package responses to users indicating demand for an item (FIG. 6; p. 5, lines 5-7; p. 8, lines 14-15; p. 18,

lines 11-15). As also indicated above, the aggregated information is provided to the suppliers without information identifying the user until after the user has committed to purchase one of the proposed packages, which protects the user's anonymity until after a purchase commitment is made (p. 18, lines 7-10).

Furthermore, independent Claims 2, 5, and 8 recite selecting a proposed group travel product based on the aggregated information (p. 5, lines 15-16). In this regard, supplier interface 530 allows suppliers to input, configure, target, and maintain products in supplier datastore 430 (including pre-packaged products and services) (p. 16, lines 15-17). For instance, the datastore 430 may contain product inventory, such as available flights, rooms, car rentals, and similar travel resources (p. 14, lines 17-19). One method shown in FIG. 6 of the present application includes accessing the datastore 430 for locating suppliers and associated offerings in order to generate a package response (blocks 610 and 615). With respect to the travel industry, the package may include all components of the customer's travel itinerary, such as round trip airfare and accommodations (p. 7, line 19 – p. 8, line 1). The supplier datastore 430 may contain pre-packaged offerings of products and services that have been pre-configured and pre-negotiated by consolidators (p. 16, lines 17-19). Suppliers may combine the inventory in advance into packages, or the response packing processor 420 may access the datastore 430 for generating one or more package responses (p. 14, line 20; p. 17, lines 8-12). For example, if one supplier offers a flight between New York and Miami and another supplier offers hotel accommodations in Miami, the server may combine the offers into a package (p. 17, lines 12-15). The server uses stored identification information to notify consumers of available packages (p. 6, lines 3-7; p. 17, lines 18-19).

Independent Claims 32-34 recite that the aggregated information is provided independent of any predetermined maximum price for the items, and that the proposed response(s) from the supplier(s) includes a proposed price for the items that is set by the supplier and independent of any predetermined maximum price. Users submit demand or interest in an item or travel product, where demand may include a user's interest in a particular item, such as preferred travel itineraries, including the location of departure and destination, travel dates, and period of stay at the destination (p. 7, lines 15-17). Thus, a user's demand for an item or travel product is

provided without any particular specified price for the item or travel product, and a user only submits a purchase commitment after one or more package responses is provided by the suppliers including, for example, airfare for a flight or room rate for a hotel (p. 17, line 19 – p. 18, line 5; p. 18, line 17 – p. 19, line 2).

Each of the independent claims recites providing one or more proposed responses or information reflecting the proposed group travel product to the different users based on the user identification information (p. 5, lines 8-9 and 16-17). As indicated above, the consumer datastore 425 stores information identifying each consumer (p. 14, lines 8-11). The identifying information may be used to contact a user when the item in demand becomes available (e.g., user's name, address, phone number, email, etc.) (p. 14, lines 11-15). In particular, the server 400 uses the stored identification information to notify consumers of available packages (p. 17, lines 16-19).

In addition, independent Claims 1, 2, 4, 5, 7, and 8 recite that providing the proposed response to the users includes allowing the users to determine whether to commit to purchasing the item. Similarly, independent Claims 29-31 recite that users are able to evaluate the at least two responses, while independent Claims 32-34 recite that users can determine whether to commit to purchasing the item based at least on the price set by the supplier. With reference to FIGS. 4-6, the server 400 uses the response packaging processor 420 to notify consumers of available package(s) that likely satisfy the consumer's demand (p. 17, lines 16-18). If consumers are interested in purchasing a particular product provided by the server 400, response packaging processor 420 may receive a purchasing commitment from one or more consumers (p. 17, line 19 – p. 18, line 2). The package may include one or more components provided by one or more suppliers, such as a flight having a corresponding airfare and hotel accommodations having a corresponding room rate (p. 18, line 13 – p. 19, line 2). Thus, users must first evaluate the one or more package responses, which includes at least a price set by the supplier, so that the user can commit to purchasing the item. The commitment may take the form of an unsecured reservation or purchase using, for example, a credit card (p. 18, lines 2-3). The server 400 then notifies the relevant supplier(s) that purchase commitments have been received, which could be an indication of the purchase commitment or payment to the suppliers (p. 18, lines 3-6).

As such, methods, systems, and computer-readable mediums of the present application facilitate the aggregation of consumer demand and satisfaction of such demand. By delivering products and services based on demand collected from consumers but not otherwise satisfied by suppliers, more consumers may be attracted to a Web server. Thus, more consumers may be exposed to the server's products and services as well as advertisements relating to the server's goods and services. In addition, consumers may be more flexible since consumers are not required to input a price or to commit to purchase the item when submitting a request for the item, and suppliers may not miss out on a sale because a consumer bid too low.

6. ***Grounds of Rejection to be Reviewed on Appeal.***

Claims 1-9 and 23-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,876,983 to Goddard.

7. ***Argument.***

(i) Independent Claims 1, 2, 4, 5, 7, and 8

Goddard discloses a system and method for facilitating aggregate shopping. In particular, Goddard discloses that the system includes a plurality of user client devices, a plurality of supplier client devices, and a database server system communicating with the user and supplier client devices. The database server system is configured to maintain, and make available to potential purchasers, a catalog of products. The database server system also enables potential purchasers to become members of one or more groups by assuming an obligation to purchase a product at a price lower than a specified maximum price. In addition, the database server formulates a bid request and submits the request to potential sellers to enable sellers to submit tender offers and then determines which seller has submitted the best selling conditions (i.e., lowest price). Moreover, each group is initially formed for a predetermined period of time, where members may join or leave the group. However, once the predetermined period of time has ended, the group is considered to be formed and the user is required to purchase the product.

Independent Claims 1-2, 4-5, and 7-8 recite methods, systems, and computer-readable mediums, respectively, that include aggregating and satisfying demand for items. For example,

independent Claims 1-2, 4-5, and 7-8 recite that the information for each different user is aggregated independent of a commitment by the different users to purchase the items, and the different users can determine whether to commit to purchasing an item even after submitting a request for an item or travel product. Thus, independent Claims 1-2, 4-5, and 7-8 do not require users to commit to purchase an item when aggregating information based on the users' requests for the items. Users are capable of reviewing items before committing to purchase. If a user is interested in purchasing an item, the user may submit a commitment to purchase, which could take the form of an unsecured reservation or a purchase using a credit card or other payment method. However, if a user decides not to make a purchase, the user is not required to do so.

The Examiner acknowledges that Goddard does not disclose that users can determine whether to commit to purchase an item, but takes Official Notice that leaving the option to commit to purchase a product has been common knowledge in the art. In Applicant's response of August 30, 2005 to the final Official Action, a request was made to the Examiner to provide a reference or other evidence supporting the assertion of Official Notice, as the Examiner's conclusion is not "instant and unquestionable" as being well known at the time of the invention (MPEP § 2144.03) ("Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known."). In particular, Applicant traversed taking of Official Notice as various different references have been cited during prosecution of the present application with each of these references that address the issue relating to a commitment to purchase actually require a commitment to purchase (e.g., Walker '415 and Shkedy '024 patents), thereby evidencing that it may be well known to require a commitment to purchase in such group purchasing situations. As such, evidence in support of the Examiner's contention that a user may determine whether to commit to purchase an item after submitting a request is even more warranted. In the Advisory Action, no evidence supporting Official Notice was submitted nor was any reasoning set forth indicating why such evidence was not provided.

Moreover, such Official Notice and its combination with Goddard are in direct contrast to the actual teachings of Goddard, thereby rendering such a combination improper for lacking the

requisite motivation or suggestion. In this regard, Applicant respectfully submits that Goddard does not teach or suggest aggregating information reflecting demand for items from different users "independent of a commitment by the different users to purchase the item" and that "the different users can determine whether to commit to purchasing the item," as recited by independent Claims 1-2, 4-5, and 7-8. Goddard specifically discloses a diametrically opposed approach in which potential purchasers assume an obligation to purchase a product at a price no higher than a specified maximum price, and further in which the potential purchasers are required to purchase the product following formation of the group (see abstract; col. 3, lines 58-63; col. 5, lines 22-31; col. 11, lines 37-42; and col. 14, lines 52-58). For example, Goddard discloses: "The general terms and rules which apply to all shopper groups include--the final price will never exceed the prescribed maximum price; a shopper who joined a shoppers group must purchase the product if all the predefined conditions are fulfilled." Col. 11, lines 37-42 (emphasis added). Furthermore, Claim 1 of Goddard recites that the system enables potential purchasers to become members of a purchasers group by assuming an obligation to purchase the product at a price below a specified maximum price.

Independent Claims 1-2, 4-5, and 7-8 recite that information is aggregated independent of a commitment to purchase and that users can determine whether to commit to purchase an item. In contrast, users of the Goddard system are obligated to purchase a product following formation of the group when conditions of purchase have been satisfied. Although Goddard discloses that members of a shoppers group may remove themselves from the group while the group is being formed (i.e., while the formation of the group is considered active in that the predetermined period of time has not elapsed), members must purchase the product if all predefined conditions are fulfilled. Moreover, potential purchasers must submit personal profile information, such as mode of payment, when joining a group (col. 11, lines 1-7); this type of information would not otherwise be necessary unless purchasers were obligated to purchase the item. Therefore, Goddard simply discloses that members may remove themselves from a group during a predetermined time period that defines the group's formation, but Goddard does not teach or suggest that members of the group may determine whether to commit to purchasing an item

when a seller's offer has been received and/or awarded to the seller offering the lowest selling price.

Thus, Goddard does not teach or suggest the claimed invention and, in fact, teaches directly away from the optionality built into the claimed invention. Moreover, there is no motivation or suggestion to combine Goddard with the subject matter for which Official Notice was taken (even assuming evidence supporting the Official Notice could be provided as discussed above) since Goddard actually teaches away from the very point for which Official Notice is taken. Still further, such unsupported reliance upon Official Notice without any reasonable motivation or suggestion to combine such Official Notice with Goddard effectively ignores or reads out claim recitations in direct contrast to the black letter law which requires all claim recitations to be meaningfully considered ((see MPEP § 2106(II)(C))).

Consequently, Applicant submits that Goddard does not teach or suggest that information is aggregated independent of a commitment to purchase and that users can determine whether to commit to purchase an item, as recited by independent Claims 1-2, 4-5, and 7-8. Thus, the rejection under 35 U.S.C. 103(a) of Claims 1-2, 4-5, and 7-8, as well as the claims that depend therefrom, is overcome.

(ii) Independent Claims 29-31

Independent Claims 29-31 recite that users are provided with at least two proposed responses and are able to evaluate the proposed responses. Applicant submits that this is not taught or suggested by Goddard. Indeed, such an approach runs counter to Goddard. Specifically, as discussed above, Goddard requires that the user be committed to purchase the item following formation of the group when conditions of purchase have been satisfied. As recited in Claims 29-31, two different responses are provided to each user with each response including a proposal for providing an item to a respective user, which is unlike Goddard where the consumer has already committed to purchase a particular item such that a "proposed" response is unnecessary. Because the user submits an offer with an obligation to purchase a desired product, there is no teaching or suggestion within Goddard to provide a proposed response to the user which the user can elect to accept or decline as described above in

conjunction with Claims 1-2, 4-5, and 7-8. Further, Goddard simply does not teach or suggest the ability to provide users with two separate results, as the user would not be committed to accept either result but could, instead, choose therebetween, which Goddard expressly teaches away from.

Additionally, as described above, Official Notice is not only improper, but there is no motivation or suggestion to combine Goddard with the subject matter for which Official Notice was taken (even assuming evidence supporting the Official Notice could be provided as discussed above) since Goddard actually teaches away from allowing a user to choose between two alternative proposals.

Therefore, Claims 29-31 are distinct from the cited reference, and the rejection of Claims 29-31 under 35 U.S.C. 103(a) is overcome.

(iii) Independent Claims 32-34

Independent Claims 32-34 recite a method, system, and computer-readable medium, respectively, that include providing aggregated information to suppliers independent of a predetermined maximum price for an item and receiving responses from suppliers for the item that include a price for the item that is independent of any predetermined maximum price. The system of Claims 32-34 is advantageous in that it allows the consumer to check pricing for the request without having to first commit to a maximum price. For example, buyers may submit a request for travel for particular origin and destination locations and dates, and may receive proposed packages and associated prices. As such, the buyer is not required to input a maximum price or incrementally adjust a maximum price in order to determine a travel package that is acceptable to the buyer.

Applicant respectfully submits that Goddard does not teach or suggest providing information to the suppliers independent of any predetermined maximum price for the items and providing a proposed response to the different users, where the users can determine whether to commit to purchasing the item based at least on the price set by the supplier, as recited by independent Claims 32-34. Thus, Claims 32-34 are distinguishable for at least those reasons discussed above with respect to independent Claims 1-2, 4-5, and 7-8, as Goddard requires an

obligation to purchase a product at a price lower than a specified maximum price when conditions of purchase have been satisfied and a predetermined time period has expired.

In addition, Goddard does not teach or suggest that aggregated information is provided to suppliers independent of any predetermined maximum price. Specifically, Goddard requires that the consumer assume an obligation to purchase a product at a price no higher than a specified maximum price and expressly teaches away from allowing the consumer to join a shoppers group without specifying or otherwise accepting a maximum offer price. For example, Goddard discloses that “potential purchasers [] use their respective user client devices to become members of at least one purchasers group of potential purchasers of designated products by assuming an obligation to purchase [the] product at a price no higher than a specified maximum price” (col. 3, lines 58-63).

Furthermore, Applicant reiterates that Official Notice is not only improper, but there is no motivation or suggestion to combine Goddard with the subject matter for which Official Notice was taken (even assuming evidence supporting the Official Notice could be provided as discussed above). In this regard, Goddard teaches away from providing aggregated information to suppliers independent of any predetermined maximum price for the items, as well as allowing users to commit to purchase an item based on the price set by the supplier that is independent of any predetermined maximum price.

As such, Applicant respectfully submits that Claims 32-34 are distinguishable from Goddard, and the rejection under 35 U.S.C. 103(a) is therefore overcome.

CONCLUSION

For the above reasons, it is submitted that the rejections of Claims 1-9 and 23-34 are erroneous and reversal of the rejections is respectfully requested. A Claims Appendix containing a copy of claims involved in the appeal, an Evidence Appendix, and a Related Proceedings Appendix are attached.

Respectfully submitted,



Trent A. Kirk
Registration No. 54,223

CUSTOMER No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF
THE UNITED STATES PATENT & TRADEMARK OFFICE ON September 20, 2006.

Claims Appendix

1. (Previously Presented) A method for aggregating and satisfying demands from different users for at least one item, the method comprising the steps performed by a data processing system of:

electronically aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information associated with the different user, wherein said aggregating step aggregates requests from different users for the item and the information for each different user is aggregated independent of a commitment by the different users to purchase the item;

providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing the different user's user identification information from the request;

receiving at least one proposed response from at least one of the suppliers, including a proposal for providing the item to the different users; and

providing the proposed response to each of the different users based on the user identification information associated with each different user, wherein the different users can determine whether to commit to purchasing the item.

2. (Previously Presented) A method for aggregating and satisfying demands from different users for travel products, the method comprising the steps performed by a data processing system of:

electronically aggregating information reflecting demand for a set of travel products based on input requests from different users, each request having been received from a different user and including user identification information, wherein said aggregating step aggregates requests from different users for the item and the information for each different user is aggregated independent of a commitment by the different users to purchase the item;

selecting a proposed group travel product based on the aggregated information; and

providing information reflecting the proposed group travel product to each of the different users based on the user identification information, wherein the different users can determine whether to commit to purchasing the item.

3. (Previously Presented) The method of claim 2, wherein the step of selecting a group of travel product based on the aggregated information includes the substeps of:

providing the aggregated information to a plurality of travel product suppliers, wherein said providing step provides the information independent of a commitment by the different users to purchase the travel products; and

receiving responses from a set of the travel product suppliers, each response including information reflecting a proposed group travel product, wherein each proposed group travel product reflects a discount for the corresponding travel product that is determined based on the aggregated information, and

wherein the step of providing information reflecting the group travel product to the different users based on the user identification information includes the substep of:

transmitting travel option information related to at least one of the proposed group travel products to a set of different users based on the aggregated information, wherein the different users can determine whether to commit to purchasing the travel products.

4. (Previously Presented) A system for aggregating and satisfying demands from different users for at least one item, comprising:

a processor for executing programs; and

a memory for storing a program executable by the processor, the stored program including instructions for (i) aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information, wherein said aggregating step aggregates requests from different users for the item and the information for each different user is aggregated independent of a commitment by the different user to purchase the item, (ii) providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the requests, (iii) receiving at least

one proposed response from at least one of the suppliers, including a proposal for providing the item to the different users, and (iv) providing the proposed response to the different users based on the remote user identification information, wherein the different users can determine whether to commit to purchasing the item.

5. (Previously Presented) A system for aggregating and satisfying demands from different users for travel products, comprising:

a processor for executing programs; and

memory for storing a program executable by the processor, the stored program including instructions for (i) aggregating information reflecting demand for a set of travel products based on input requests from different users, each request having been received from a different user and including user identification information, wherein said aggregating step aggregates requests from different users for the item and the information for each different user is aggregated independent of a commitment by the different user to purchase the travel products, (ii) selecting a proposed group travel product based on the aggregated information, and (iii) providing information reflecting the proposed group travel product to the different users based on the user identification information, wherein the different users can determine whether to commit to purchasing the travel products.

6. (Previously Presented) The system of claim 5, wherein selecting a group of travel products based on the aggregated information includes (a) providing the aggregated information to a plurality of travel product suppliers, wherein said providing step provides the information independent of a commitment by the different users to purchase the item; and (b) receiving responses from a set of the travel product suppliers, each response including information reflecting a proposed group travel product, wherein each proposed group travel product reflects a discount for the corresponding travel product that is determined based on the aggregated information, and wherein providing information reflecting the group travel product to the different users based on the user identification information includes (a) transmitting travel option information related to at least one of the proposed group travel products to a set of different users

based on the aggregated information, whereby the different users can determine whether to commit to purchasing the travel products.

7. (Previously Presented) A computer readable medium containing instructions for controlling a computer system to perform a method for aggregating and satisfying demands from different users for at least one item, the method comprising:

aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including different user identification information, wherein said aggregating step aggregates requests from different users for the item and the information for each different user is aggregated independent of a commitment by the different user to purchase the item;

providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the request;

receiving at least one proposed response from at least one of the suppliers, including a proposal for providing the item to the different users; and

providing the proposed response to the different users based on the user identification information, whereby the different users can determine whether to commit to purchasing the item.

8. (Previously Presented) A computer readable medium containing instructions for controlling a computer system to perform a method for aggregating and satisfying demands from different users for travel products, the method comprising:

aggregating information reflecting demand for a set of travel products based on input requests from different users, each request having been received from a different user and including user identification information, wherein said providing step provides the information independent of a commitment by the users to purchase the travel products;

selecting a proposed group travel product based on the aggregated information; and

providing information reflecting the proposed group travel product to the different users based on the user identification information, whereby the different users can determine whether to commit to purchasing the travel products.

9. (Previously Presented) The computer readable medium of claim 8, wherein selecting a group of travel products based on the aggregated information includes:

providing the aggregated information to a plurality of travel product suppliers, wherein said providing step provides the information independent of a commitment by the different users to purchase the travel products; and

receiving responses from a set of the travel product suppliers, each response including information reflecting a proposed group travel product, wherein each proposed group travel product reflects a discount for the corresponding travel product that is determined based on the aggregated information, and

wherein the step of providing information reflecting the group travel product to the different users based on the user identification information includes:

transmitting travel option information related to at least one of the proposed group travel products to a set of different users based on the aggregated information, whereby the different users can determine whether to commit to purchasing the travel products.

Claims 10-22 (Cancelled)

23. (Previously Presented) A method according to Claim 1, wherein said aggregating step aggregates a plurality of items that collectively form a set of travel products,

said providing aggregated information provides aggregated information to a plurality of suppliers, wherein each supplier is at least capable of supplying at least one of the items in the set of travel products,

said receiving receives proposed responses from at least one supplier for each item in the set of travel products, and

said providing the proposed response gathers the proposed responses into at least one proposed set of travel products and provides information reflecting the proposed set of travel products to the different users.

24. (Previously Presented) A method according to Claim 23, wherein a first supplier has a first discount on a first item in the set of travel products and a second supplier has a second discount on a second item in the set of travel products, and wherein said providing the proposed response selects the items respectively from said first and second supplier and provides information reflecting the first and second discounts to the different users.

25. (Previously Presented) A system according to Claim 4, wherein
said aggregating information instruction aggregates a plurality of items that collectively form a set of travel products,
said providing aggregated information instruction provides aggregated information to a plurality of suppliers, wherein each supplier is at least capable of supplying at least one of the items in the set of travel products,
said receiving instruction receives proposed responses from at least one supplier for each item in the set of travel products, and
said providing the proposed response instruction gathers the proposed responses into a proposed at least one set of travel products and provides information reflecting the proposed set of travel products to the different users.

26. (Previously Presented) A system according to Claim 25, wherein a first supplier has a first discount on a first item in the set of travel products and a second supplier has a second discount on a second item in the set of travel products, and wherein said providing the proposed response instruction selects the items respectively from said first and second supplier and provides information reflecting the first and second discounts to the different users.

27. (Previously Presented) A computer readable medium according to Claim 7,
wherein said aggregating information aggregates a plurality of items that collectively form a set of travel products,
said providing aggregated information provides aggregated information to a plurality of suppliers, wherein each supplier is at least capable of supplying at least one of the items in the set of travel products,

said receiving receives proposed responses from at least one supplier for each item in the set of travel products, and

said providing the proposed response gathers the proposed responses into at least one proposed set of travel products and provides information reflecting the proposed set of travel products to the different users.

28. (Previously Presented) A computer readable medium according to Claim 27, wherein a first supplier has a first discount on a first item in the set of travel products and a second supplier has a second discount on a second item in the set of travel products, and wherein said providing the proposed response selects the items respectively from said first and second supplier and provides information reflecting the first and second discounts to the different users.

29. (Previously Presented) A method for aggregating and satisfying demands from different users for at least one item, the method comprising the steps performed by a data processing system of:

electronically aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information associated with the different user;

providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the request;

receiving at least two proposed responses from one or more of the suppliers, where each response includes a proposal for providing the item to the different users; and

providing the at least two proposed responses to the different users based on the user identification information, to thereby allow the different users to evaluate the at least two proposed responses.

30. (Previously Presented) A system for aggregating and satisfying demands from different users for at least one item, comprising:

a processor for executing programs; and

a memory for storing a program executable by the processor, the stored program

including instructions for (i) aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information, (ii) providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the requests, (iii) receiving at least two proposed responses from one or more of the suppliers, including a proposal for providing the item to the different users, and (iv) providing the at least two proposed responses to the different users based on the user identification information, to thereby allow the different users to evaluate the at least two proposed responses.

31. (Previously Presented) A computer readable medium containing instructions for controlling a computer system to perform a method for aggregating and satisfying demands from different users for at least one item, the method comprising:

aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information associated with the different user;

providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the request;

receiving at least two proposed responses from one or more of the suppliers, where each response includes a proposal for providing the item to the different users; and

providing the at least two proposed responses to the different users based on the user identification information, to thereby allow the different users to evaluate the at least two proposed responses.

32. (Previously Presented) A method for aggregating and satisfying demands from different users for at least one item, the method comprising the steps performed by a data processing system of:

electronically aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information;

providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the request, wherein said providing step provides the aggregated information to the suppliers independent of any predetermined maximum price for the items;

receiving at least one proposed response from at least one of the suppliers, including a proposal for providing the item to the different users, wherein a proposed price for the items is set by the supplier and independent of any predetermined maximum price; and

providing the proposed response to the different users based on the user identification information, wherein the different users can determine whether to commit to purchasing the item based at least on the price set by the supplier.

33. (Previously Presented) A system for aggregating and satisfying demands from different users for at least one item, comprising:

a processor for executing programs; and

a memory for storing a program executable by the processor, the stored program including instructions for (i) aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information associated with the different user, (ii) providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the requests, wherein said providing step provides the aggregated information to the suppliers independent of any predetermined maximum price for the items, (iii) receiving at least one proposed response from at least one of the suppliers, including a proposal for providing the item to the different users, wherein a proposed price for the items is set by the supplier and independent of any predetermined maximum price, and (iv) providing the proposed response to the different users based on the user identification information, wherein the different users can determine whether to commit to purchasing the item based at least on the price set by the supplier.

34. (Previously Presented) A computer readable medium containing instructions for controlling a computer system to perform a method for aggregating and satisfying demands from different users for at least one item, the method comprising:

aggregating information reflecting demand for an item based on input requests from different users for the item, each request having been received from a different user and including user identification information associated with the different user;

providing aggregated information to a plurality of suppliers, each capable of supplying the item without also providing user identification information from the request, wherein said providing step provides the aggregated information to the suppliers independent of any predetermined maximum price for the items;

receiving at least one proposed response from at least one of the suppliers, including a proposal for providing the item to the different user, wherein a proposed price for the items is set by the supplier and independent of any predetermined maximum price; and
providing the proposed response to the different users based on the user identification information, wherein the different users can determine whether to commit to purchasing the item based at least on the price set by the supplier.

In re: Terrell B. Jones
Appl . No.: 09/438,957
Filing Date: November 12, 1999
Page 23

Evidence Appendix

No additional evidence is provided.

In re: Terrell B. Jones
Appl. No.: 09/438,957
Filing Date: November 12, 1999
Page 24

Related Proceedings Appendix

There are no related proceedings.